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west virginia department of environmental protection

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Division of Water and Waste Management  
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Jim Justice, Governor  
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Mr. Cecil Rodrigues  
Acting Regional Administrator  
United States Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

Dear Administrator ~~Mr.~~ Rodrigues:

In accordance with Paragraph 2.d. of the June 13, 2017 Memorandum of Agreement (MOA) between the West Virginia Department of Environmental Protection (WVDEP) and the United States Environmental Protection Agency (USEPA) regarding submission of Total Maximum Daily Loads (TMDLs) for biologically impaired waters, WVDEP submits the attached Addendum. The Attached Addendum consists of enclosed please find a table setting forth a the schedule with date-specific deadlines for submittal by WVDEP to EPA of TMDLs addressing all causes of biological impairments identified in the waters listed in Attachment D to the MOA, including for ionic toxicity where relevant to a particular water with date-specific interim milestones for WVDEP to submit to the USEPA TMDLs for biological impairment, including for ionic toxicity where relevant. This table, which I have signed on behalf of WVDEP, is to be added to the MOA as Addendum 1. Please sign the same and return a copy to me, so the agency has a fully executed copy for its files.

**Commented [SS1]:** Just mimicking the MOA language here to keep it simple.

Per Paragraph 2d of the MOA, “[a]s WVDEP begins TMDL development work in each watershed, WVDEP will submit to USEPA a status report describing its plans for conducting the technical work necessary to develop and submit TMDLs for the causes of biological impairment in the Attachment D waters in that watershed in accordance with the schedule.” In addition to this MOA commitment, To that end, WVDEP and USEPA intend to communicate regularly regarding the ongoing status of TMDL development to facilitate timely completion of the TMDLs set out in Addendum 1.

**Commented [SS2]:** Want to keep this intention separate from the actual MOA commitment rather than inadvertently have somebody interpret as part of the commitment.

Sincerely,

Scott G. Mandirola  
Director

Promoting a healthy environment.